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October 10, 1996

Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Dear Sir,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Levan, Utah.

Sincerely,



Victor A. Michael Jr.
President
Vixon Valley Broadcasting

c/o Magic City Media
1912 Capitol Avenue, Suite 300
Cheyenne, Wyoming 82001

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the matter of:

Amendment of Section 73.202 (b)

Table of Allotments

FM Broadcast Stations

(Levan, Utah)

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)
)

RM-_____

PETITION FOR RULE MAKING

In this petition, Windy Valley Broadcasting is hereby requesting to allot channel 268A (101.5 Mhz) to Levan, Utah as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 268A (101.5 Mhz) to Levan, Utah and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 268A to Levan will have.

DISCUSSION

2. Levan is located in South Central Utah. It is also located within Juab County, a county of some 5817 persons. Levan has a population of 416 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 268A to Levan will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Levan is located at Nephi, Utah. Nephi is located 18 kilometers from Levan.

It is obvious that from the above spacing that Levan is presently without local FM service.

4. Levan would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 18 Kilometers of Levan. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Levan area of emergency conditions caused by severe weather or other health hazards.

5. Channel 268A can be allotted to Levan and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Levan, Utah	-----	268A

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 268A and the pertinent adjacent channels to 268A have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N 39 - 33' - 30", W. 111 - 52' - 00") are that of a site located within the community of Levan. No site restriction will be required to allot channel 268A to Levan. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Levan. These sites would also provide full minimum spacing requirements to other allotments.

CONCLUSION

7. It has been shown that Levan would benefit from the allotment of channel 268A. It has also been shown that channel 268A can be allotted to Levan and meet all rules regarding spacing from other stations. Considering these two facts, Windy Valley Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 268A for Levan, Utah , 73.202.

8. Should channel 268A be allotted to Levan, Utah, I certify that I will file an application for a Construction Permit to operate an FM station for Levan, Utah.

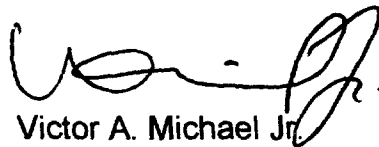
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CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: October 10, 1996

Respectfully submitted,



Victor A. Michael Jr.
President
Windy Valley Broadcasting

c/o Magic City Media
1912 Capitol Avenue, Suite 300
Cheyenne, Wyoming 82001

(307) 632-4400

MAPFM search of channel 268A6 (101.5 MHz), at N. 39 33 30, W. 111 52 0.

Searching Channel 268A6 (101.5 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Price	UT	265	A	U	90.4	31.0	90.9°	59.4
KPRQ	Price	UT	265	A	L	90.4	31.0	90.9°	59.4
ALC	Ogden	UT	266	C	U	125.6	95.0	346.9°	30.6
KBER	Ogden	UT	266	C	L	125.6	95.0	346.9°	30.6
ALC	Green River	WY	268	C	V	298.4	226.0	42.9°	72.4
ALC	Green River	WY	268	C	V	298.4	226.0	42.9°	72.4
K269AA	Orangeville	UT	269	D	L	73.5	0.0	121.8°	73.5
ALC	Ogden	UT	270	C	U	125.6	95.0	346.9°	30.6
KKAT	Ogden	UT	270	C	L	125.6	95.0	346.9°	30.6

FIGURE 1
CHANNEL STUDY
LEVAN, UTAH

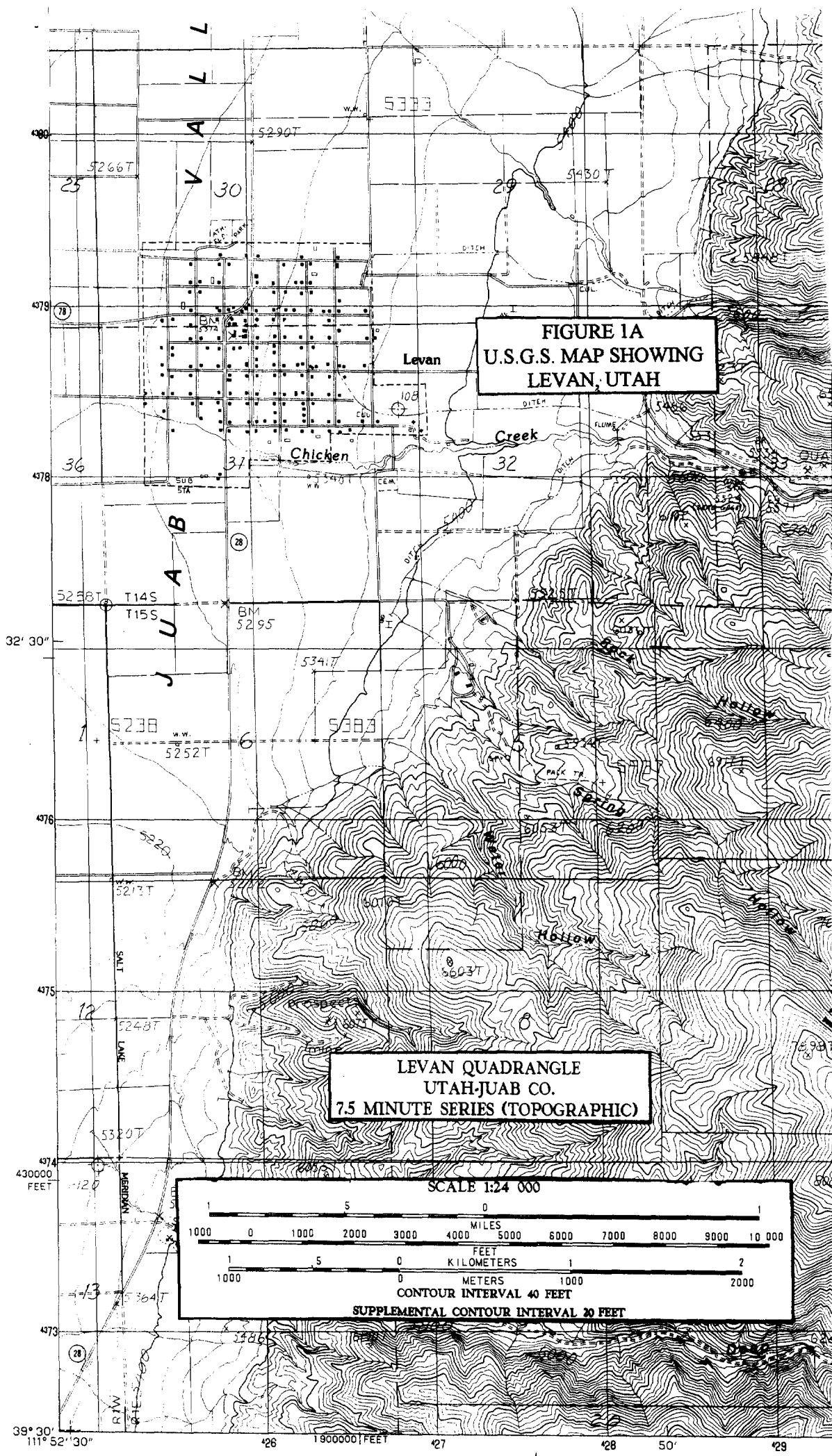


FIGURE 1A
U.S.G.S. MAP SHOWING
LEVAN, UTAH

LEVAN QUADRANGLE
UTAH-JUAB CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

